

**OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
Northern District of California**

CIVIL MINUTES

Date: March 10, 2016 **FTR Time:** 10:35-10:47 **Judge:** EDWARD M. CHEN

Case No.: 07-cv-4727 EMC
and related case C14-4108
EMC

Attorney for Plaintiff: Roger Teich and David Nickerson
Tim Foley (appointed next friend)

Attorney for Defendant: Glenn Pruden and Michele Swanson for Martel, et al.

Deputy Clerk: Betty Lee

Court Reporter: N/A

PROCEEDINGS

FURTHER CMC

SUMMARY

The Court have approved the Phase II budget and lifted the stay as of this date. An order lifting the stay in the Habeas matter and deferring ruling on the motion to dismiss the 1983 action will be issued. The Court granted Petitioner's time to file his final petition within 217 days. The 4/14/16 hearing on Petitioner's motion for conditional stay (Docket #208) is vacated. Opposition due: 3/14/16. Reply due: 3/21/16. Court to issue order based on papers thereafter.

Mr. Timothy Foley's request to be relieved as the appointed next friend for Petitioner is granted without prejudice. Mr. Foley shall e-file a proposed order. Further CMC is set for 7/28/16 at 10:30 a.m. An updated joint CMC statement shall be filed by 7/21/16.